



10/067,977

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Application of: Chunhua YAN et al.

Art Unit: 1652

Serial No.: 10/067,977

Examiner: M. Rao

Filed: February 8, 2002

Atty. Docket: CL001313

For: ISOLATED HUMAN KINASE PROTEINS,  
NUCLEIC ACID MOLECULES ENCODING  
HUMAN KINASE PROTEINS, AND USES  
THEREOF

**DECLARATION UNDER 37 CFR §1.131**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned hereby states the following facts:

The nucleic acid (transcript) sequence of SEQ ID NO:1 and the encoded protein sequence of SEQ ID NO:2 disclosed in the above-identified application were conceived and reduced to practice by the undersigned on September 7, 2001 at Celera Genomics Corporation in Rockville, Maryland.

On September 7, 2001, the undersigned generated the final transcript sequence of SEQ ID NO:1 and the final encoded protein sequence of SEQ ID NO:2 that were ultimately disclosed in the above-identified application. In order to generate the final sequences of SEQ ID NOS:1-2, the undersigned, on September 7, 2001, manually annotated a transcript sequence that was first computationally annotated on May 23, 2001. This manual annotation by the undersigned, which occurred on September 7, 2001, involved adding one exon into the transcript sequence and modifying the encoded protein sequence accordingly, to generate, on September 7, 2001, the final sequences of SEQ ID NOS:1-2 as disclosed in the above-identified application. The sequences of SEQ ID NOS:1-2 were not altered between September 7, 2001 and their inclusion in the above-identified application (which was filed on February 8, 2002).

Thus, the transcript sequence of SEQ ID NO:1 and the encoded protein sequence of SEQ ID NO:2 disclosed in the above-identified application were conceived and reduced to practice on September 7, 2001.

In order to support the above statements, "Exhibit A" is hereby being submitted and accompanies this 37 CFR 1.131 declaration. "Exhibit A" shows the revision history for the mRNA transcript sequence of SEQ ID NO:1 (Celera internal identification number hCT1957421) and the protein sequence of SEQ ID NO:2 (Celera internal identification number hCP1764484) prior to the February 8, 2002 filing date of the above-identified application. As shown in "Exhibit A", the mRNA and protein sequences (corresponding to SEQ ID NOS:1 and 2, respectively) were initially released on September 7, 2001. Furthermore, no sequence revisions of the mRNA transcript sequence of hCT157421 (SEQ ID NO:1), nor of the protein sequence of hCP1764484 (SEQ ID NO:2), have occurred. This is evident just below the words "Revision History", where "hCG32737 sequence revision 3" is indicated below the word "Gene", "hCT1957421" is indicated below the word "mRNA", and "hCP1764484" is indicated below the word "Protein". The "sequence revision 3" following "hCG32737" specifies that three revisions have been made to the genomic sequence (this can also be seen in the column labeled "Obsolete Records", which shows that the gene sequence of hCG32737 underwent "revision 1" on November 9, 2001 and "revision 2" on August 27, 2002). However, in contrast, no revision is indicated next to "hCT1957421" nor next to "hCP1764484", just below the words "Revision History" (moreover, no revisions are present in the column labeled "Obsolete Records" for hCT1957421 nor for hCP1764484). This indicates that hCT1957421 (SEQ ID NO:1) and hCP1764484 (SEQ ID NO:2) have not been revised; in other words, they are still in "revision 0". Therefore, hCT1957421 (SEQ ID NO:1) and hCP1764484 (SEQ ID NO:2) currently, and as of the February 8, 2002 filing date of the above-identified application, possess the same sequences as they possessed when initially released on September 7, 2001.

The undersigned acknowledges that all statements made of the undersigned's own knowledge are true, and all statements made on information and belief are believed to be true. All statements are based on the undersigned's knowledge and available information

as of the date indicated below. The undersigned acknowledges that willful false statements and the like are punishable by fine or imprisonment, or both, and may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: 10/31/2003

Zhaoxi Ke  
Zhaoxi Ke

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Attachment:  
- Exhibit A

# EXHIBIT A

Gene : hCG32737 serum/glucocorticoid regulated kinase  
symbol : SGK  
species : *Homo sapiens*  
location : chr.6 ◀  
135,231,368 - 135,237,959  
alias : SGK1

core references : 16  
external mapping : LocusLink OMIM

## Revision History

Gene hCG32737 sequence revision 3 mRNA hCT1957421 Protein hCP1764484

Date	Gene	mRNA	Protein	Change	Comment	Obsolete Records
10. Jul 28, 2003			x	Annotation	Compute Update	
9. Jun 11, 2003			x	Annotation	Compute Update	
8. Apr 3, 2003			x	Annotation	Compute Update	
7. Jan 7, 2003			x	Annotation	Compute Update	
6. Dec 23, 2002	x		x	Annotation	Compute Update	
				Annotation	Reviewed	
5. Aug 27, 2002	x	x	x	Sequence	Assembly Update	<u>hCG32737 revision 2</u>
4. May 21, 2002			x	Annotation	Compute Update	
3. May 17, 2002	x		x	Annotation	Compute Update	
				Annotation	Reviewed	
2. Nov 9, 2001	x	x		Sequence	Reviewed	<u>hCG32737 revision 1</u>
1. Sep 7, 2001				None	Initial Release	